

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.1485/2020

This the 9th day of October, 2020

Through video conferencing

**Hon'ble Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Monika,
D/o. Sri. Hemant Kumar,
R/o A-17, Anand Vihar,
Uttam Nagar, New Delhi-11005

...Applicant

(By Advocate : Sh. Jogy Scaria)

Versus

1. Govt. of NCT of Delhi
Through Director, Education Department
Old Secretariat, Near Vidhan Sabha,
Civil Lines, New Delhi, Delhi 110054
2. Delhi Subordinate Services Selection Board
Through Chairman, FC-18, Institutional Area,
Karkardooma,
Delhi-110092

...Respondents

(By Advocate : Sh. Girish Jha)



ORDER (Oral)**Justice L.Narasimha Reddy, Chairman**

The applicant took part in the selection for the post of Educational Vocational Guidance Counsellor (EVGC) (female) in the Delhi Administration, which was taken up in the year with post code No.149/17. She appeared in the written test and emerged successful. She was one of the selected candidates and was required to upload the e-dossier to DSSSB. Though a rejection order dated 05.04.2019, the respondents informed the candidates mentioned therein that the cases are rejected on account of their failure to upload the e-dossiers within the stipulated time.

2. The applicant made a representation stating that she made an attempt to upload the documents and in fact certain numbers were also furnished in the individual documents. She contends that the reason for non receipt of the documents by the respondents, if at all, was due to the technical slag, and she cannot be denied the opportunity of being appointed on account of that.



3. The applicant filed OA.2025/2019 complaining the inaction on the part of the respondents, and that was disposed of on 11.03.2020 directing the respondents to pass orders on the representation. In compliance of the same, the respondents passed an order dated 31.08.2020 mentioning that the applicant failed to press the 'submit' button and thereby the documents could not be uploaded. Placing reliance upon the judgement of the Hon'ble High Court of Delhi in Jyothi Vs GNCTD decided on 22.04.2019, the respondents rejected the case of applicant. This OA is filed challenging the rejection notice dated 05.04.2019 and the rejection order dated 31.08.2020.

4. The applicant contends that she made every effort possible at her level, to upload the documents and in fact she gained impression that the uploading was successful when certain signals were received by her. She contends that if the respondents did not receive documents, the defect is not at all referable to her.

5. We heard Sh. Jogy Scaria, learned counsel for the applicant and Sh. Girish Jha, learned counsel for the respondents at the stage of admission.



6. With a view to streamline and simplify the process of selection, the respondents have adopted the method of uploading of the documents, through electronic process. One week time was stipulated for this purpose. The applicant became aware of the fact that she is one of the successful candidates. She ought to have been prompt enough, to upload the documents. The method of uploading was also indicated in the instructions stipulated therein. In case she faced any problem in uploading the documents she ought to have approached the respondents through mail or by visiting the office physically.

7. Though the applicant states that she received signals in respect of individual documents, she did not state that there was any acknowledgement /signal for of receipt of all the documents. Her contention is that she did not find any provision for that.

8. In the context of submission of documents for scrutiny by the DSSSB what becomes material is whether they have reached at the end. Any amount of the efforts made by the candidates, short of successful uploading, would be of no consequences. As observed earlier, in case the applicant faced any problem she ought to have approached the respondents for proper guidance. We do understand the agony of the applicant who was successful



in examination but missed the appointment on account of the inability to upload the documents. However the applicant is not alone in this behalf and there are quite large number of candidates who have been shown in the impugned notice dated 05.04.2019.

9. The Hon'ble High Court took the view that once the documents were not uploaded within time, any indulgence shown to one of the candidates would upset the entire process of selection in as much as several candidates are situated on the same footing.

10. We do not find any merit in the OA and the OA is accordingly dismissed. There shall be no order as to costs.

(MOHD.JAMSHED)
MEMBER (ADMN.)

(JUSTICE L.NARASIMHA REDDY)
CHAIRMAN

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